

Attorney's Docket No.:13691-002005
Client's Ref. No.:470-104US2CON

OFFICIAL COMMUNICATION FACSIMILE:

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Number of pages including this page 42

Applicant : Carlo Brugnara et al.
Serial No. : 10/043,640
Filed : January 10, 2002


Art Unit : 1624
Examiner : Deepak R. Rao

Title : Substituted Diphenyl Indanone, Indane and Indole Compounds and Analogues
Thereof Useful for the Treatment of Prevention of Diseases Characterized by
Abnormal Cell Proliferation .

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attached to this facsimile communication cover sheet is Request for Certificate of
Correction Pursuant to 37 C.F.R. §1.322 and Certificate of Correction (in duplicate) faxed this
18th day of April, 2005, to the United States Patent and Trademark Office.

Respectfully submitted,


Dale L. Rieger
Reg. No. 43,045

Date: April 18, 2005

Fish & Richardson P.C.
12390 El Camino Real
San Diego, California 92130
Telephone: (858) 678-5070
Fax: (858) 678-5099

10506155.doc

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Attorney's Docket No.: 13691-002005 / 470-104US2CON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Carlo Brugnara et al. Art Unit : 1624
Patent No. : 6,800,658 Examiner : Deepak R. Rao
Issue Date : October 5, 2004
Serial No. : 10/043,640
Filed : January 10, 2002
Title : SUBSTITUTED DIPHENYL INDANONE, INDANE AND INDOLE
COMPOUNDS AND ANALOGUES THEREOF USEFUL FOR THE
TREATMENT OF PREVENTION OF DISEASES CHARACTERIZED BY
ABNORMAL CELL PROLIFERATION

Attn: Certificate of Corrections Branch
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR CERTIFICATE OF CORRECTION
PURSUANT TO 37 C.F.R. § 1.322

Dear Sir:

Pursuant to 37 C.F.R. § 1.322, the patentee respectfully requests that a Certificate of Correction be issued for the above-referenced patent to correct the following error (deletions are in double brackets or strikethrough; additions are underlined):

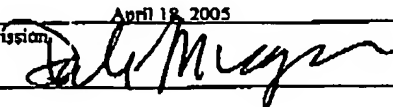
IN THE CLAIMS:

Please amend claims 2, 5, 8 and 12 as follows:

2. The compound of Claim 1, wherein said compound is selected from the group of Compounds 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20.

CERTIFICATE OF TRANSMISSION BY FACSIMILE

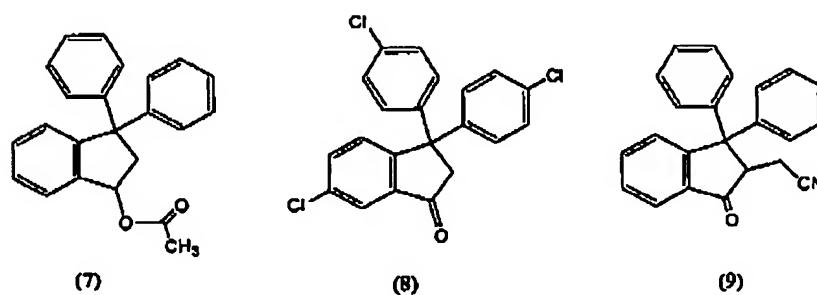
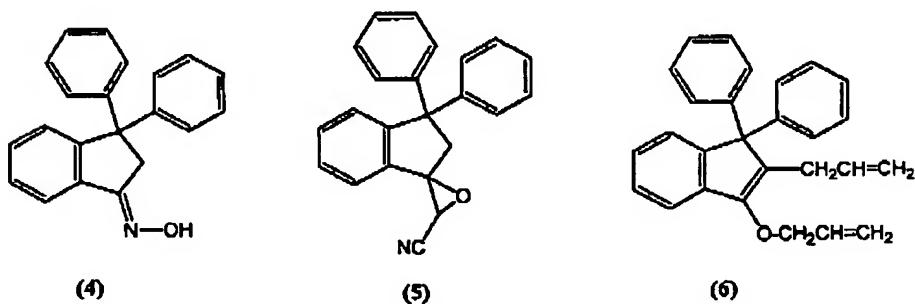
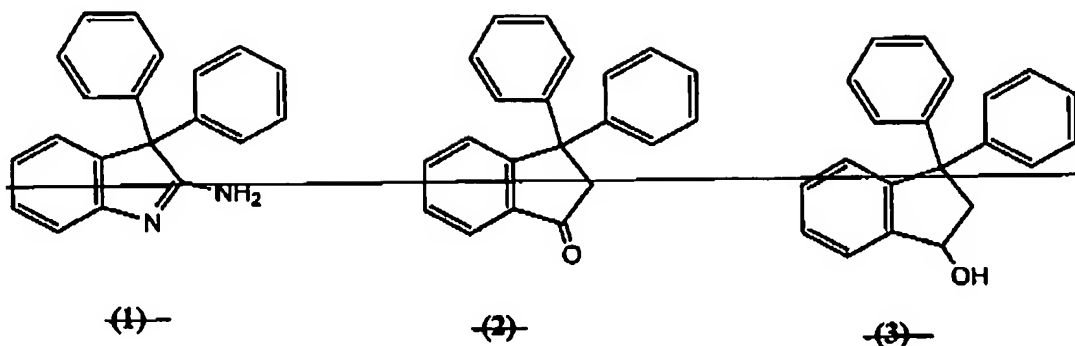
I hereby certify that this correspondence is being transmitted by facsimile to the Patent and Trademark Office on the date indicated below.

April 18, 2005
Date of Transmission
Signature 

Dale L. Rieger
Typed or Printed Name of Person Signing Certificate

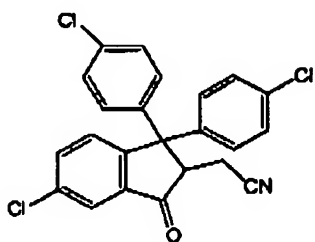
Applicant : Carlo Brugnara et al.
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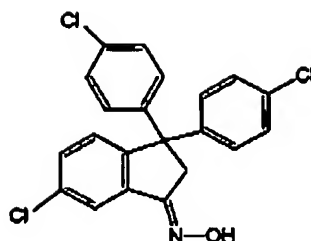


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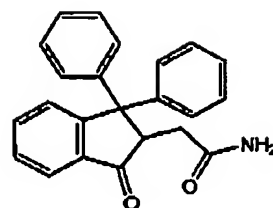
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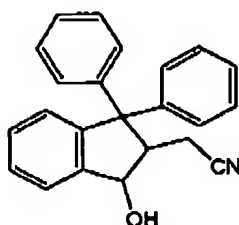
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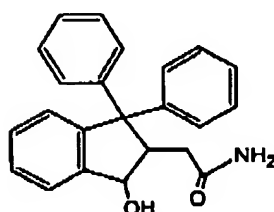
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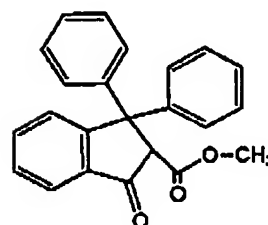
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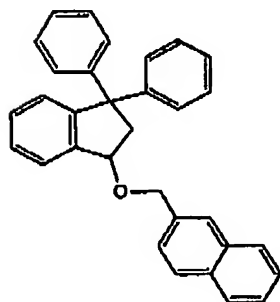
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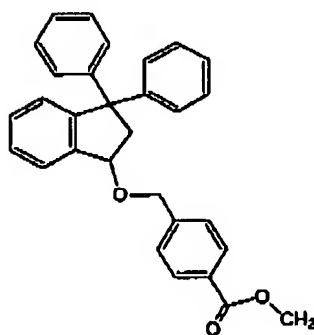
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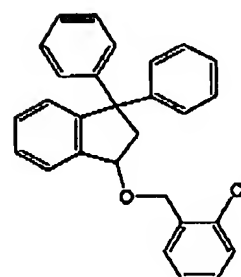
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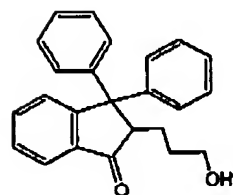
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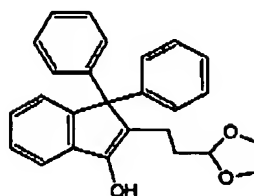


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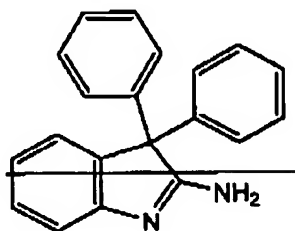


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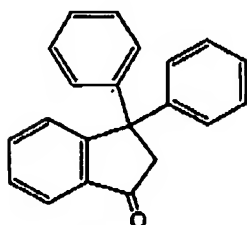
Applicant : Carlo Brugnara et al.
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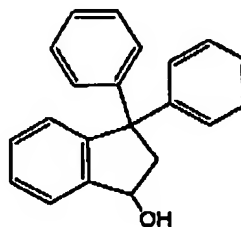
5. The pharmaceutical composition of Claim 4, wherein said compound is selected from the group of Compounds 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20.



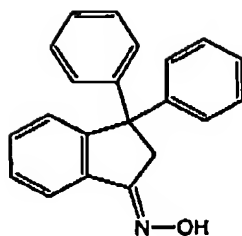
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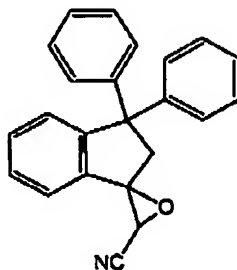
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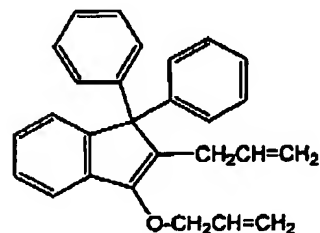
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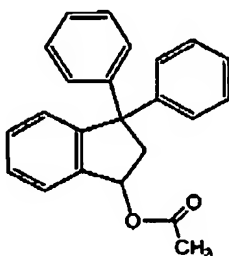
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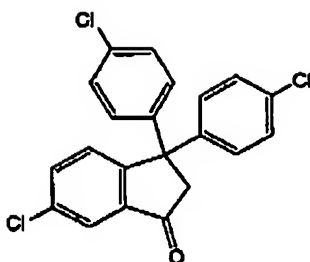
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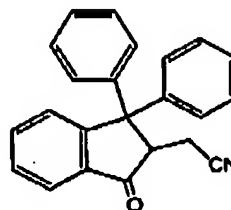
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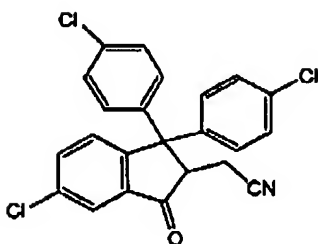
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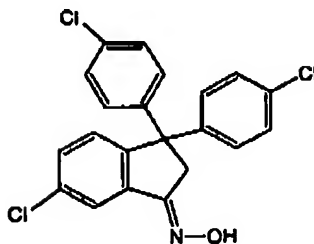
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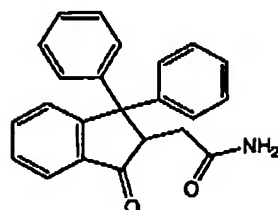
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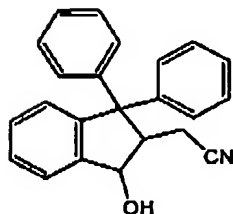
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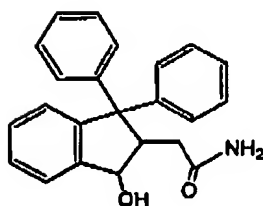
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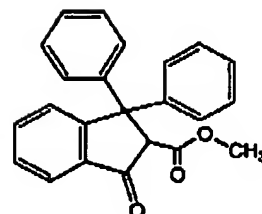
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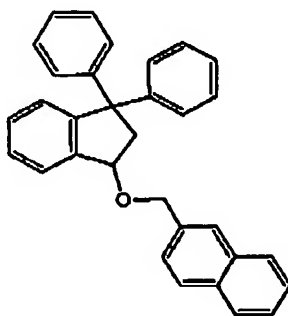
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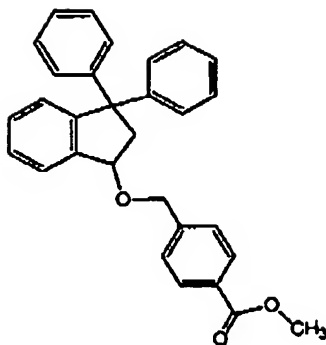
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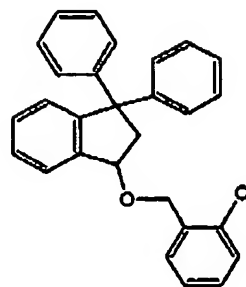
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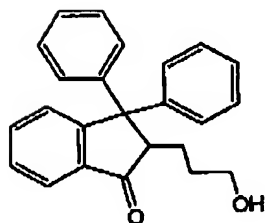
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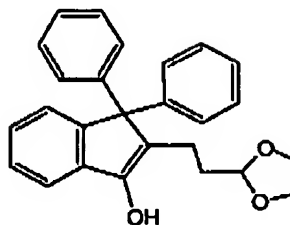


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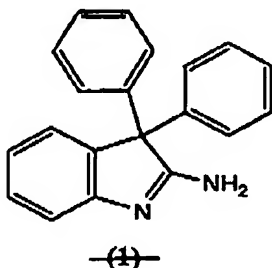
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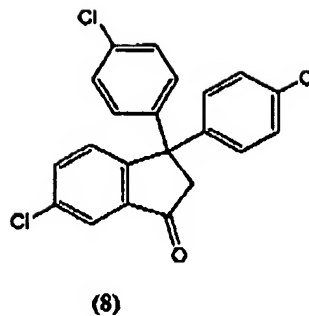
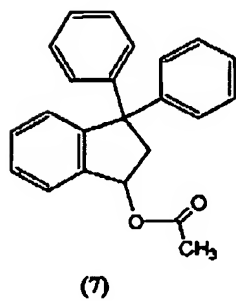
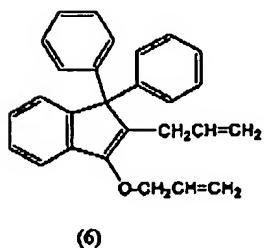
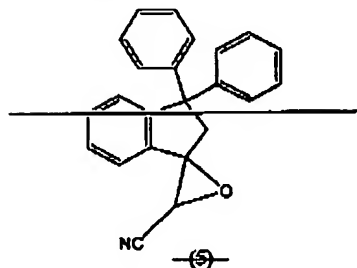
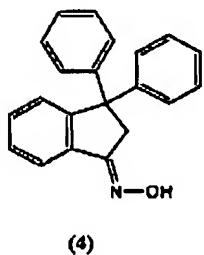
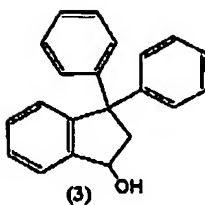
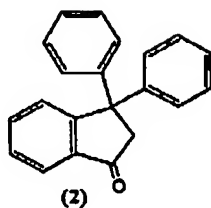
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8. The method of Claim 7, wherein said compound is selected from the group of Compounds 2, 3, 4, 6, 7, 8, 10, 11, 15, 16, 17, 19 and 20.



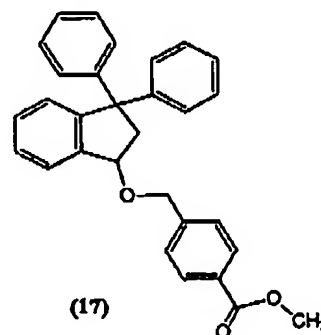
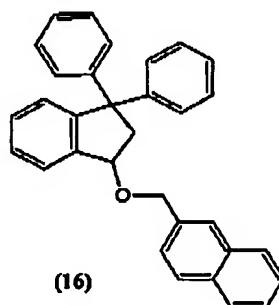
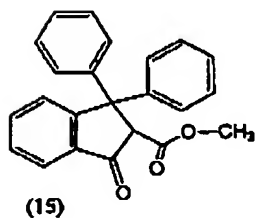
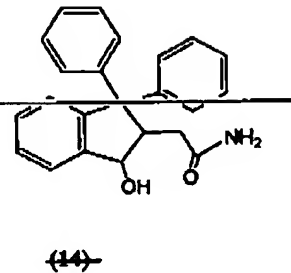
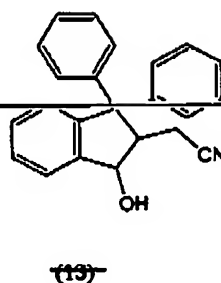
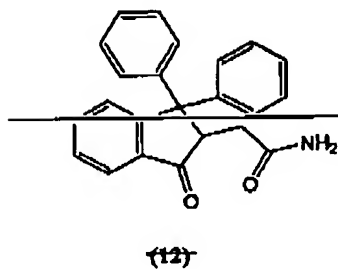
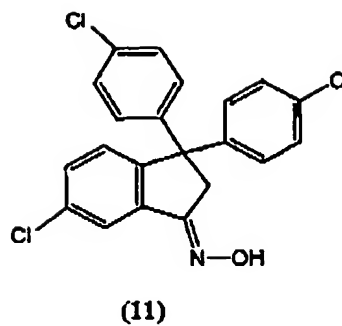
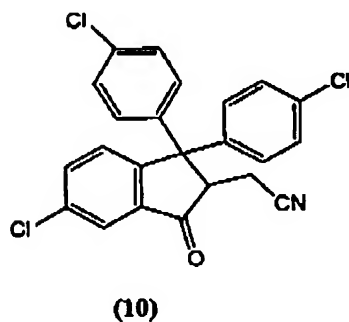
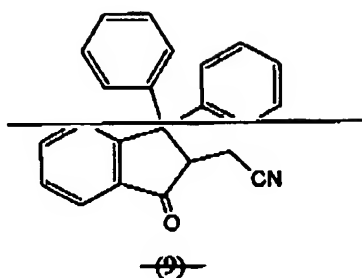
Applicant : Carlo Brugnara et al.
Patent No. : 6,800,658
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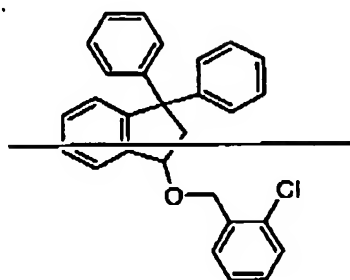
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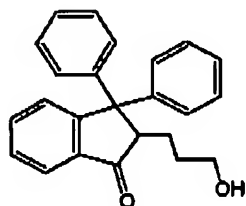


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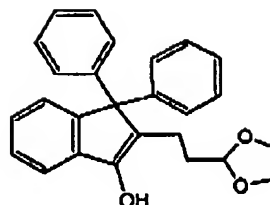


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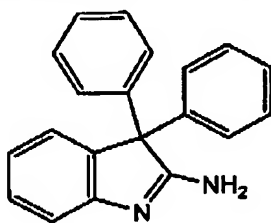
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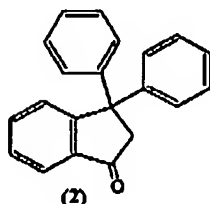


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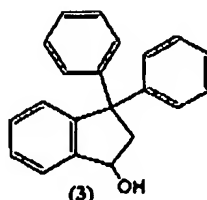
12. The method of Claim 11, wherein said compound is selected from the group of Compounds 2, 3, 4, 6, 7, 8, 10, 11, 15, 16, 17, 19 and 20.



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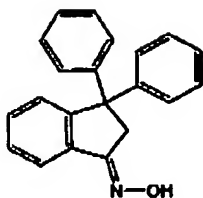
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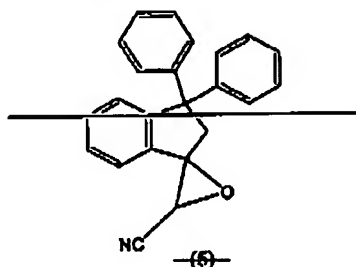
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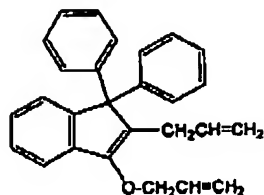
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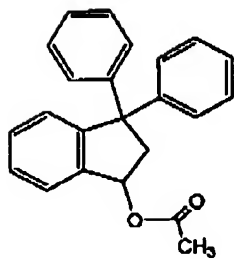
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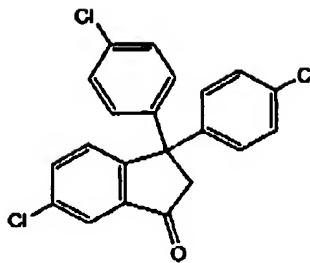
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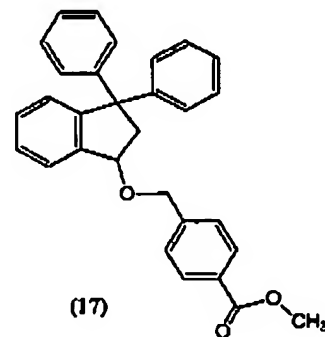
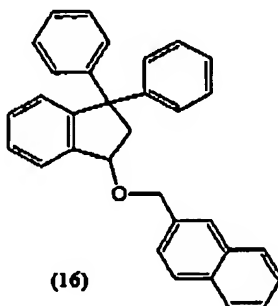
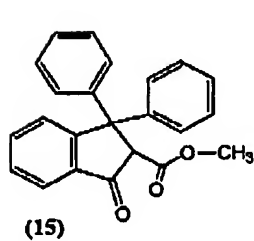
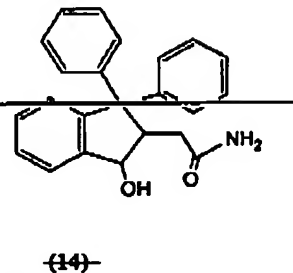
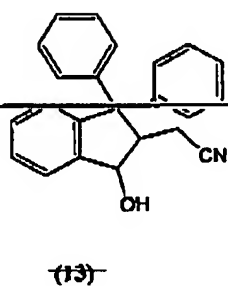
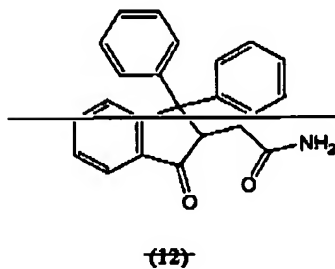
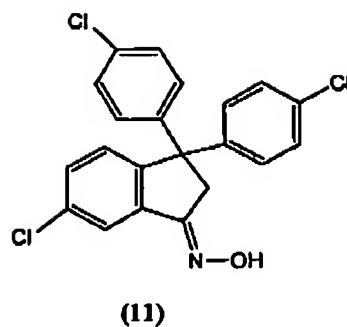
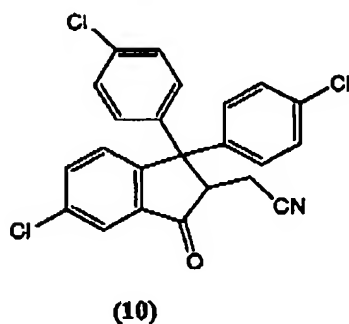
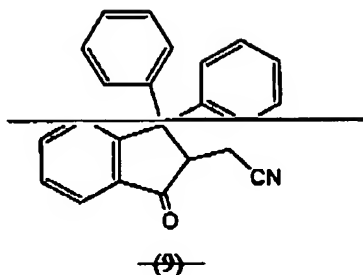
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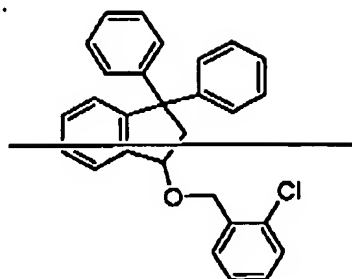
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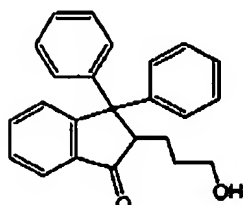


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Attorney's Docket No.: 13691-002005 / 470-
104US2CON

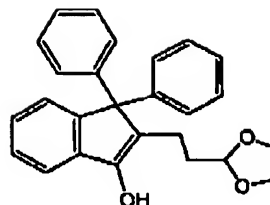


~~(18)~~



(19)

and



(20)

REMARKS

Duplicates of a Certificate of Correction (Form PTO-1050) incorporating the above change is included with this Request. Because the error is a Patent Office error, a fee under 37 C.F.R. § 1.20(a) is not due. If, however, it is determined that a fee is due, the Office is hereby authorized to charge the fee to Deposit Account No. 06-1050.

This Certificate of Correction seeks to amend a Patent Office error in the claims introduced during the publication process.

Issued claims 2, 5, 8 and 12 (original claims 18, 21, 24 and 28, respectively) were added during prosecution in an amendment mailed on July 7, 2003. The claims presented in the amendment of July 7, 2003, listed the following compounds and provided structural formulae thereof:

Applicant : Carlo Brugnara et al.
Patent No. : 6,800,658
Issued : October 5, 2004
Serial No. : 10/043,640
Filed : January 10, 2002
Page : 13 of 13

Attorney's Docket No.: 13691-002005 / 470-
104US2CON

claim 2 listed: compounds 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20;

claim 5 listed: compounds 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19
and 20;

claim 8 listed: compounds 1, 2, 3, 4, 6, 7, 8, 10, 11, 15, 16, 17, 19 and 20; and

claim 12 listed: compounds 1, 2, 3, 4, 6, 7, 8, 10, 11, 15, 16, 17, 19 and 20.

The structural formulae of additional compounds were inadvertently added in the issued claims. The error was introduced by the Patent and Trademark Office. This Certificate of Correction seeks to amend the error. The changes do not constitute new matter. Patentee respectfully requests correction of the errors by issuance of a Certificate of Correction.

No fee is believed to be due. If, however, there are any charges or credits, please apply them to Deposit Account No. 06-1050.

Respectfully submitted,

Date: _____

4/18/05



Dale L. Rieger
Reg. No. 43,045

Fish & Richardson P.C.
12390 El Camino Real
San Diego, California 92130
Telephone: (858) 678-5070
Facsimile: (858) 678-5099

10505907.doc

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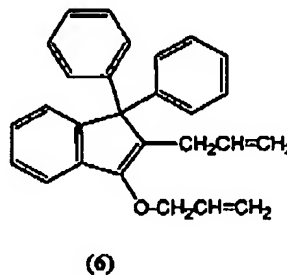
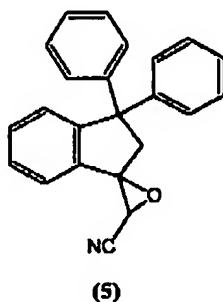
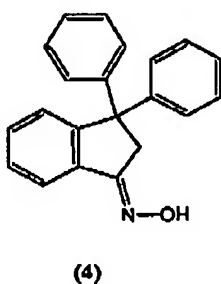
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OnlyUNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : 6,800,658
DATED : OCTOBER 5, 2004
INVENTOR(S) : CARLO BRUGNARA, JOSE HALPERIN, RUDOLF FLUCKIGER, EMILE M. BELLOTT, JR.,
RICHARD JOHN LOMBARDY, JOHN J. CLIFFORD, YING-DUO GAO, REEM M. HAIDAR,
EUGENE W. KELLEHER, ADEL M. MOUSSA, YESH P. SACHDEVA, MINGHUA SUN AND
HEATHER N. TAFT

It is certified that an error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Columns 38-41, please replace Claim 2 with the following Claim:

2. The compound of Claim 1, wherein said compound is selected from the group of Compounds 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20.



MAILING ADDRESS OF SENDER:

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San Diego, California 92130

PATENT NO. 6,800,658

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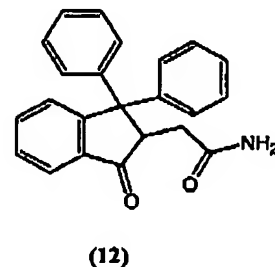
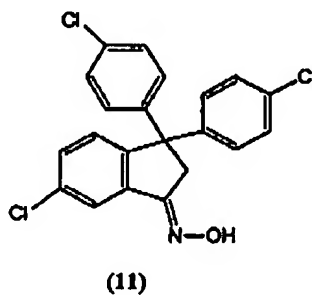
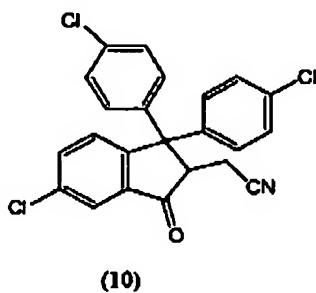
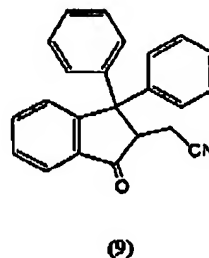
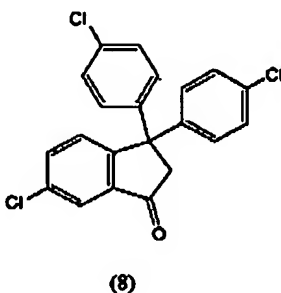
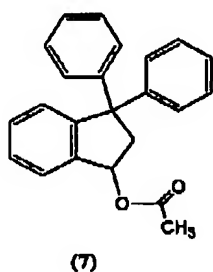
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HEATHER N. TAFT

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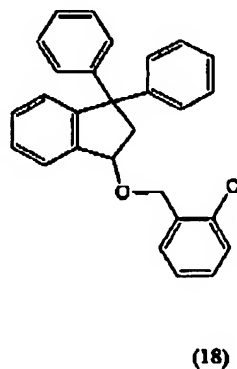
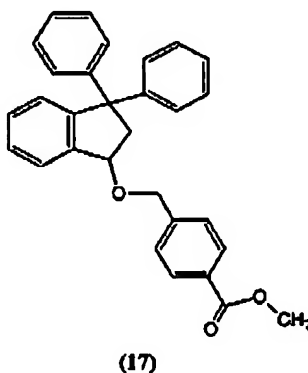
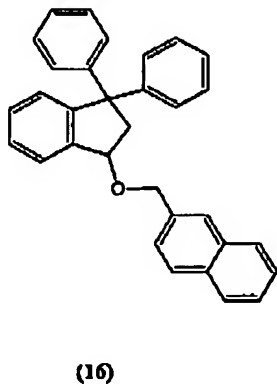
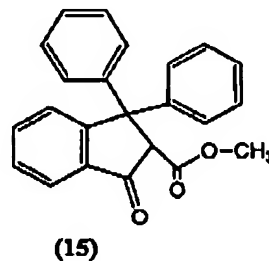
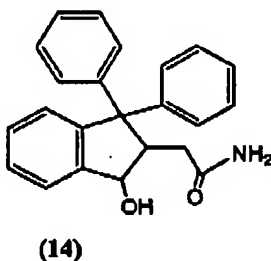
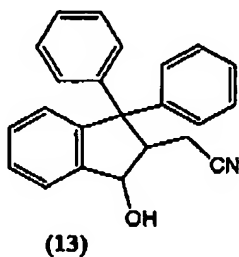
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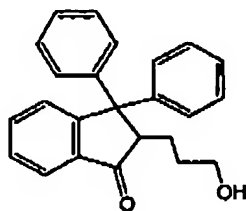
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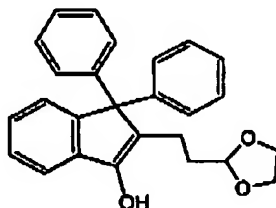
PATENT NO. : 6,800,658
DATED : OCTOBER 5, 2004
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EUGENE W. KELLEHER, ADEL M. MOUSSA, YESH P. SACHDEVA, MINGHUA SUN AND
HEATHER N. TAFT

It is certified that an error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:



(19)

and



(20)

Columns 43-46, please replace Claim 5 with the following Claim:

5. The pharmaceutical composition of Claim 4, wherein said compound is selected from the group of Compounds 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20.

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San Diego, California 92130

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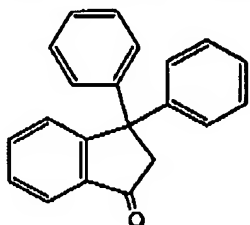
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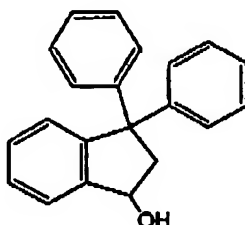
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DATED : OCTOBER 5, 2004
INVENTOR(S) : CARLO BRUGNARA, JOSE HALPERIN, RUDOLF FLUCKIGER, EMILE M. BELLOTT, JR.,
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HEATHER N. TAFT

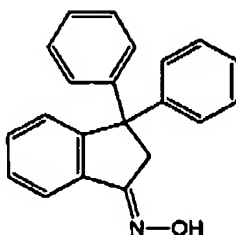
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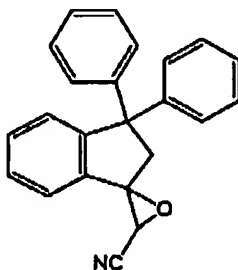
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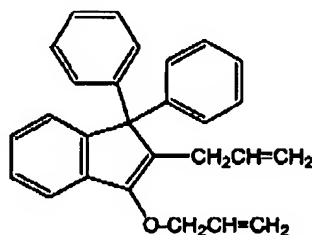
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San Diego, California 92130

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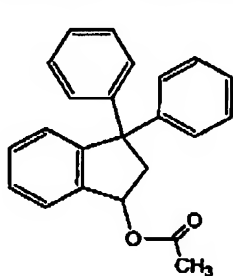
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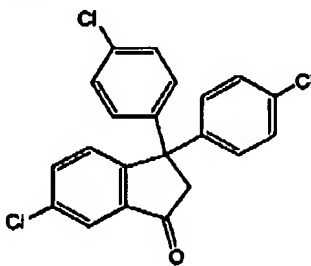
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HEATHER N. TAFT

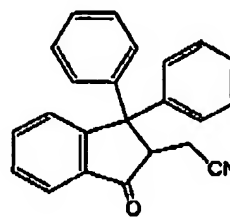
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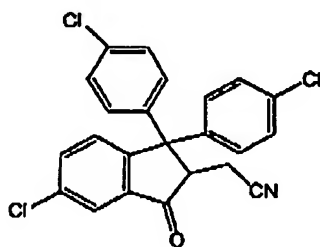
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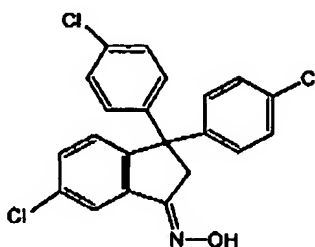
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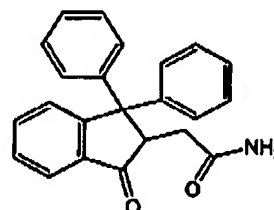
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(11)



(12)

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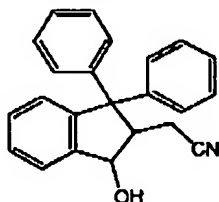
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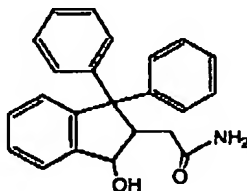
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CERTIFICATE OF CORRECTION**

PATENT NO. : 6,800,658
DATED : OCTOBER 5, 2004
INVENTOR(S) : CARLO BRUGNARA, JOSE HALPERIN, RUDOLF FLUCKIGER, EMILE M. BELLOTT, JR.,
RICHARD JOHN LOMBARDY, JOHN J. CLIFFORD, YING-DUO GAO, REEM M. HAIDAR,
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HEATHER N. TAFT

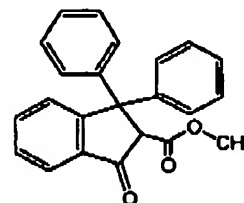
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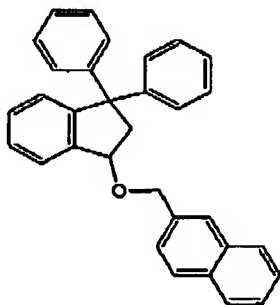
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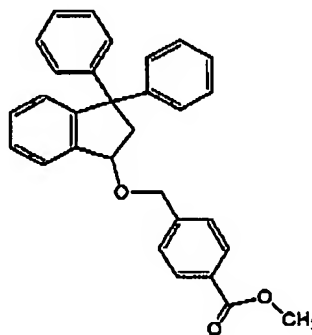
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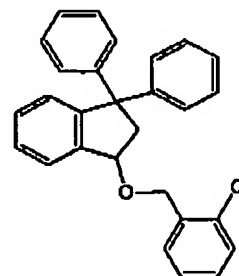
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San Diego, California 92130

PATENT NO. 6,800,658

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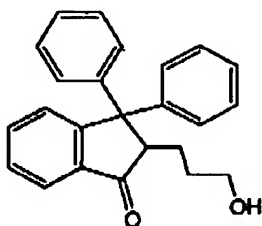
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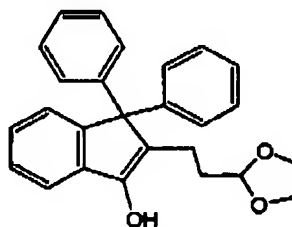
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HEATHER N. TAFT

It is certified that an error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:



(19)

and



(20)

Column 48-51, please replace Claim 8 with the following Claim:

8. The method of Claim 7, wherein said compound is selected from the group of Compounds 2, 3, 4, 6, 7, 8, 10, 11, 15, 16, 17, 19 and 20.

MAILING ADDRESS OF SENDER:

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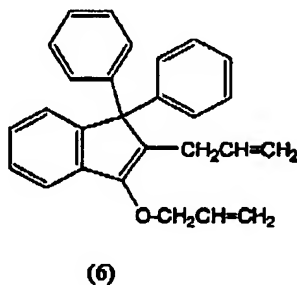
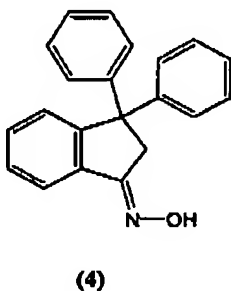
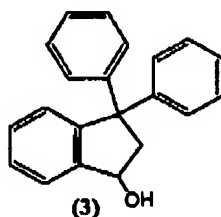
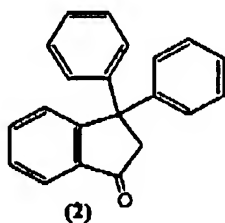
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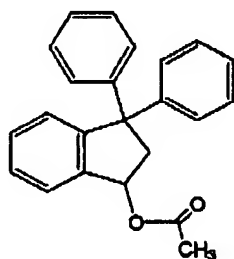
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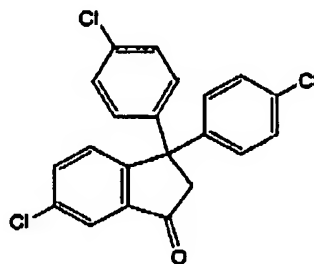
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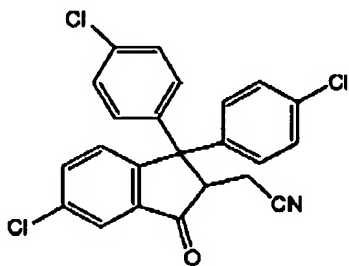
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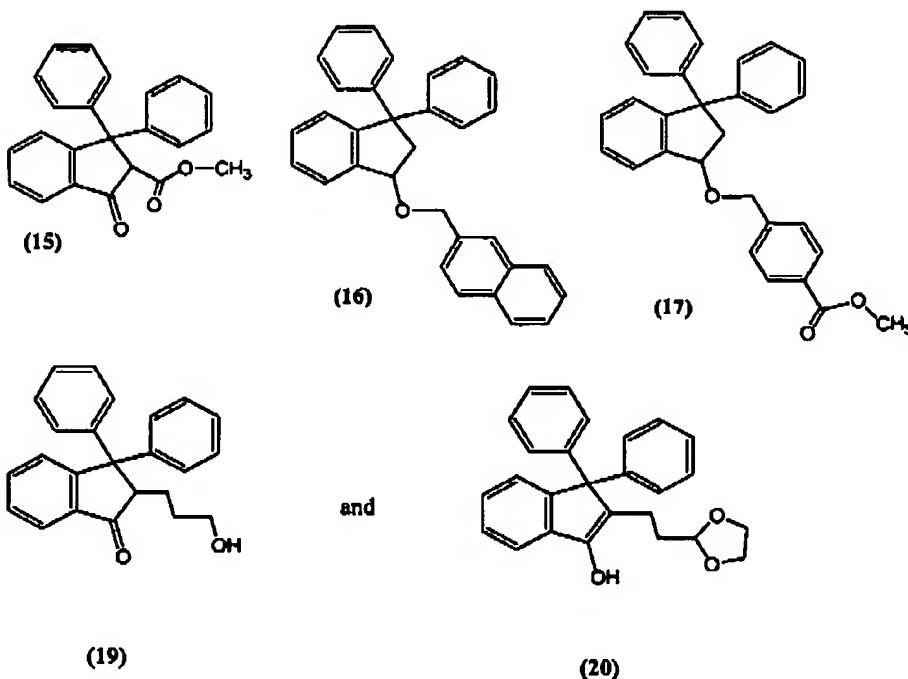
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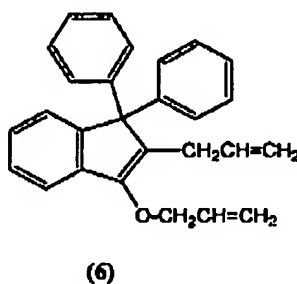
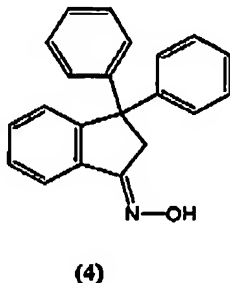
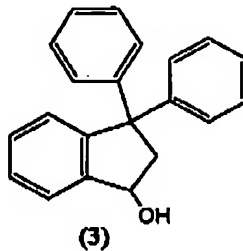
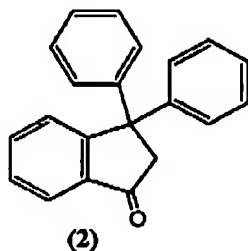
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CERTIFICATE OF CORRECTION**

PATENT NO. : 6,800,658
DATED : OCTOBER 5, 2004
INVENTOR(S) : CARLO BRUGNARA, JOSE HALPERIN, RUDOLF FLUCKIGER, EMLE M. BELLOTT, JR.,
RICHARD JOHN LOMBARDY, JOHN J. CLIFFORD, YING-DUO GAO, REEM M. HAIDAR,
EUGENE W. KELLEHER, ADEL M. MOUSSA, YESH P. SACHDEVA, MINGHUA SUN AND
HEATHER N. TAFT

It is certified that an error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Columns 52-56, please replace Claim 12 with the following Claim:

12. The method of Claim 11, wherein said compound is selected from the group of Compounds 2, 3, 4, 6, 7, 8, 10, 11, 15, 16, 17, 19 and 20.



MAILING ADDRESS OF SENDER:

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Fish & Richardson P.C.
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San Diego, California 92130

PATENT No. 6,800,658

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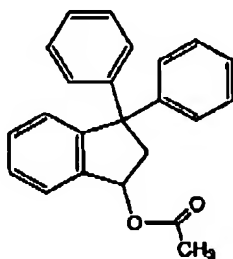
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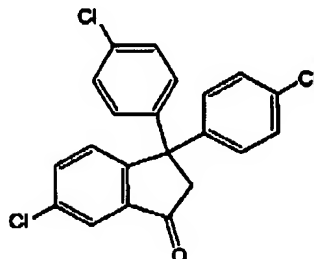
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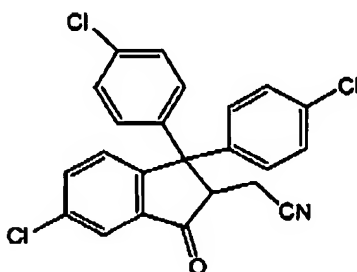
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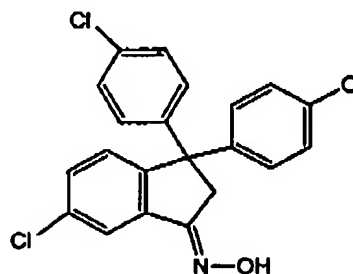
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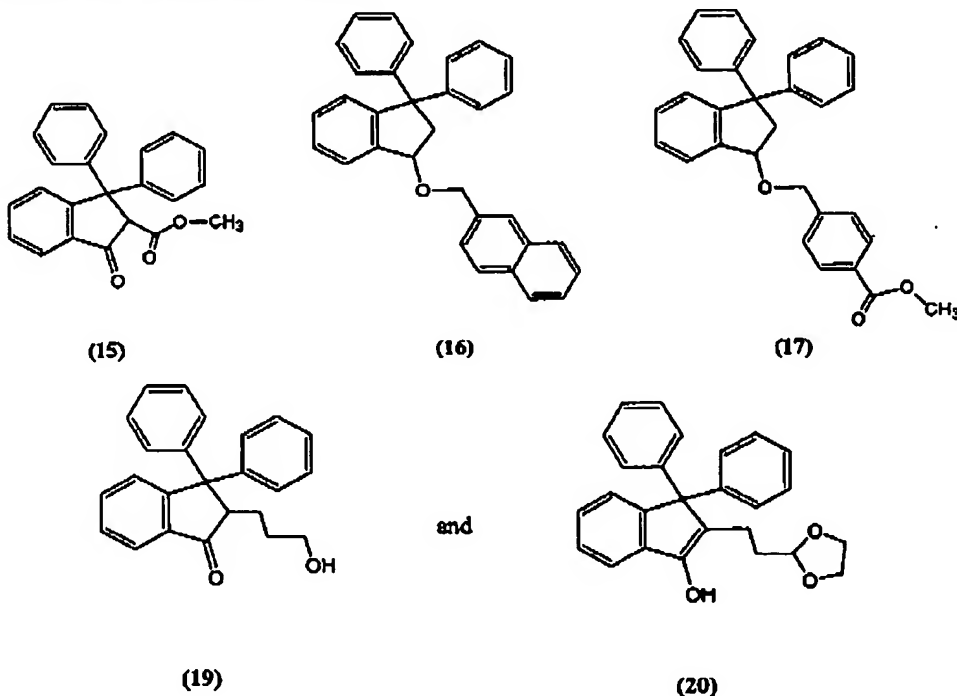
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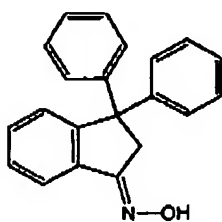
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PATENT NO. : 6,800,658
DATED : OCTOBER 6, 2004
INVENTOR(S) : CARLO BRUGNARA, JOSE HALPERIN, RUDOLF FLUCKIGER, EMILE M. BELLOTT, JR.,
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HEATHER N. TAFT

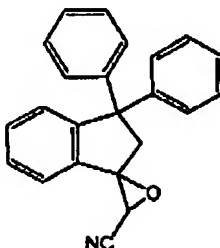
It is certified that an error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Columns 38-41, please replace Claim 2 with the following Claim:

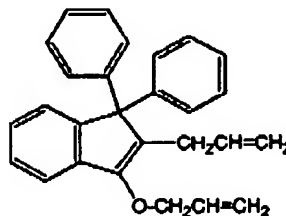
2. The compound of Claim 1, wherein said compound is selected from the group of Compounds 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20.



(4)



(5)



(6)

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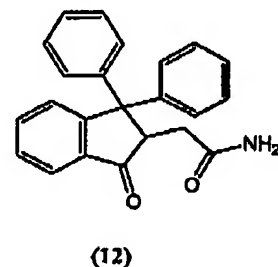
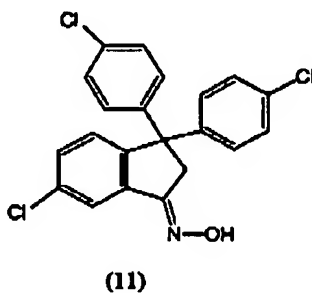
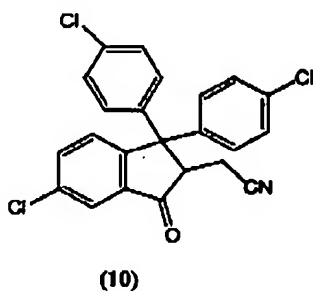
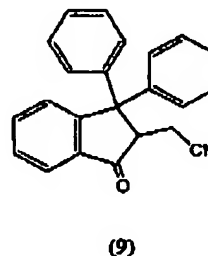
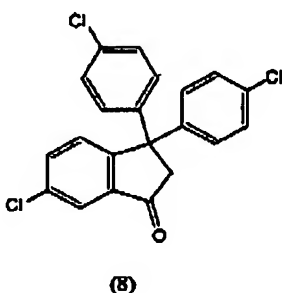
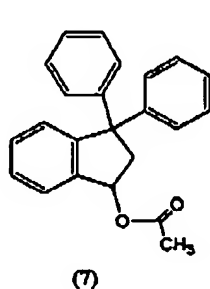
Fish & Richardson P.C.

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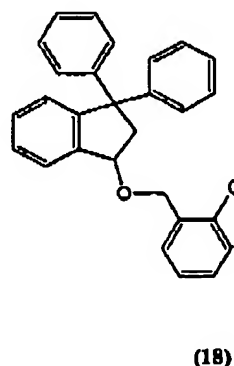
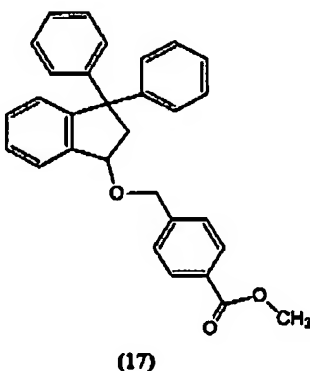
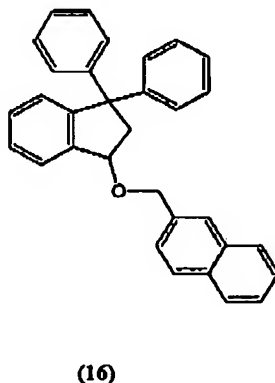
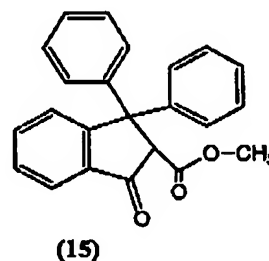
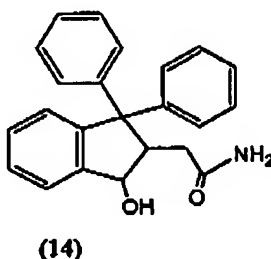
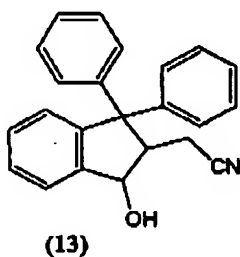
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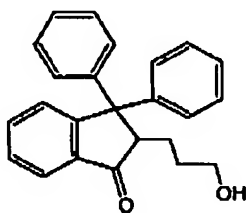
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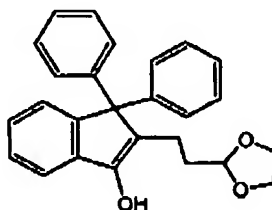
PATENT NO. : 6,800,658
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EUGENE W. KELLEHER, ADEL M. MOUSSA, YESH P. SACHDEVA, MINGHUA SUN AND
HEATHER N. TAFT

It is certified that an error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:



(19)

and



(20)

Columns 43-46, please replace Claim 5 with the following Claim:

5. The pharmaceutical composition of Claim 4, wherein said compound is selected from the group of Compounds 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20.

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PATENT NO. 6,800,658

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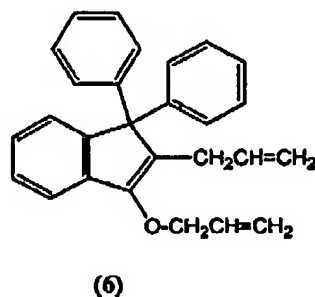
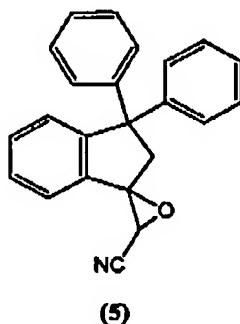
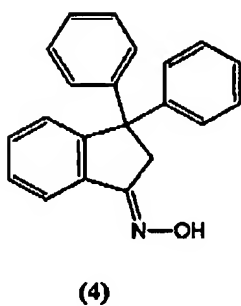
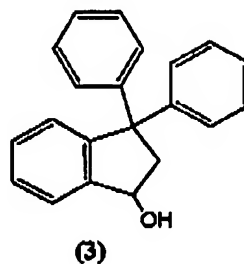
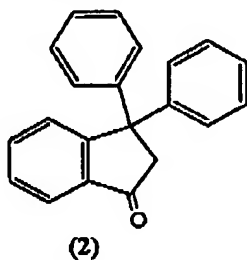
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INVENTOR(S) : CARLO BRUGNARA, JOSE HALPERIN, RUDOLF FLUCKIGER, EMILE M. BELLOTT, JR.,
RICHARD JOHN LOMBARDY, JOHN J. CLIFFORD, YING-DUO GAO, REEM M. HAIDAR,
EUGENE W. KELLEHER, ADEL M. MOUSSA, YESH P. SACHDEVA, MINGHUA SUN AND
HEATHER N. TAFT

It is certified that an error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:



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San Diego, California 92130

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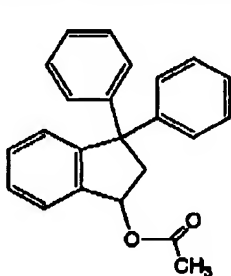
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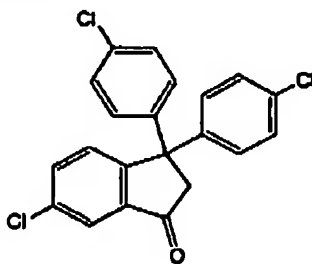
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HEATHER N. TAFT

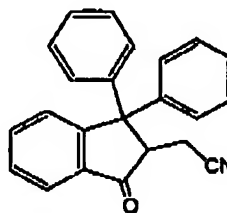
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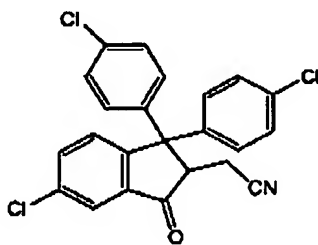
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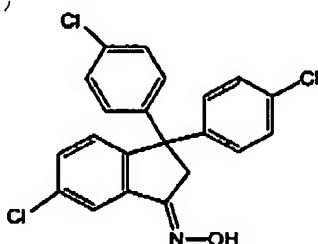
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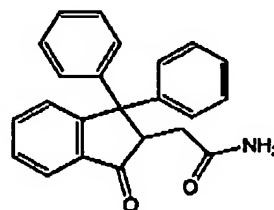
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(12)

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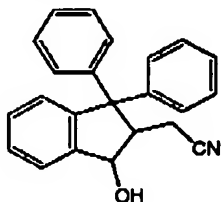
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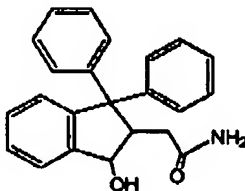
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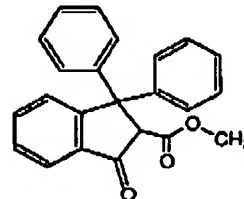
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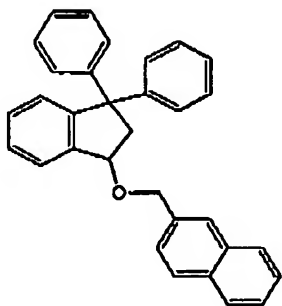
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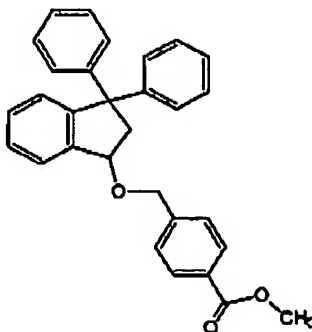
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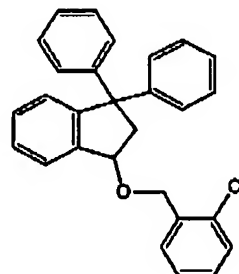
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(18)

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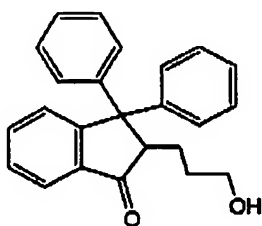
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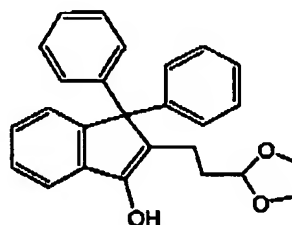
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It is certified that an error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:



(19)

and



(20)

Column 48-51, please replace Claim 8 with the following Claim:

8. The method of Claim 7, wherein said compound is selected from the group of Compounds 2, 3, 4, 6, 7, 8, 10, 11, 15, 16, 17, 19 and 20.

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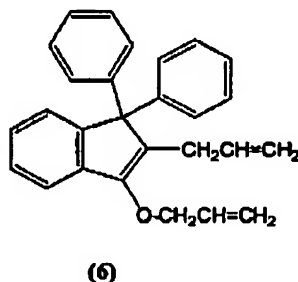
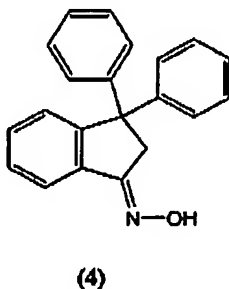
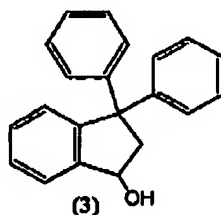
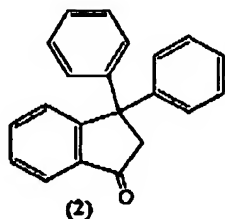
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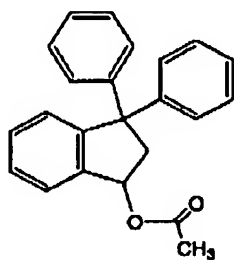
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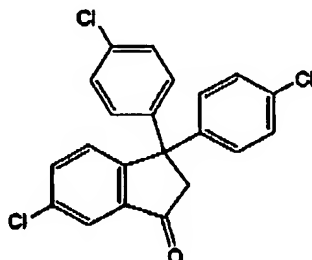
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CERTIFICATE OF CORRECTION**

PATENT NO. : 6,800,658
DATED : OCTOBER 5, 2004
INVENTOR(S) : CARLO BRUGNARA, JOSE HALPERIN, RUDOLF FLUCKIGER, EMILE M. BELLOTT, JR.,
RICHARD JOHN LOMBARDY, JOHN J. CLIFFORD, YING-DUO GAO, REEM M. HAIDAR,
EUGENE W. KELLEHER, ADEL M. MOUSSA, YESH P. SACHDEVA, MINGHUA SUN AND
HEATHER N. TAFT

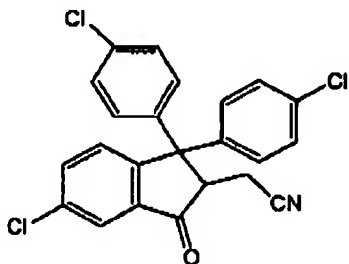
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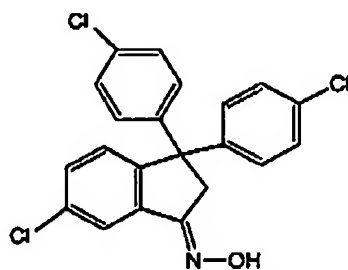
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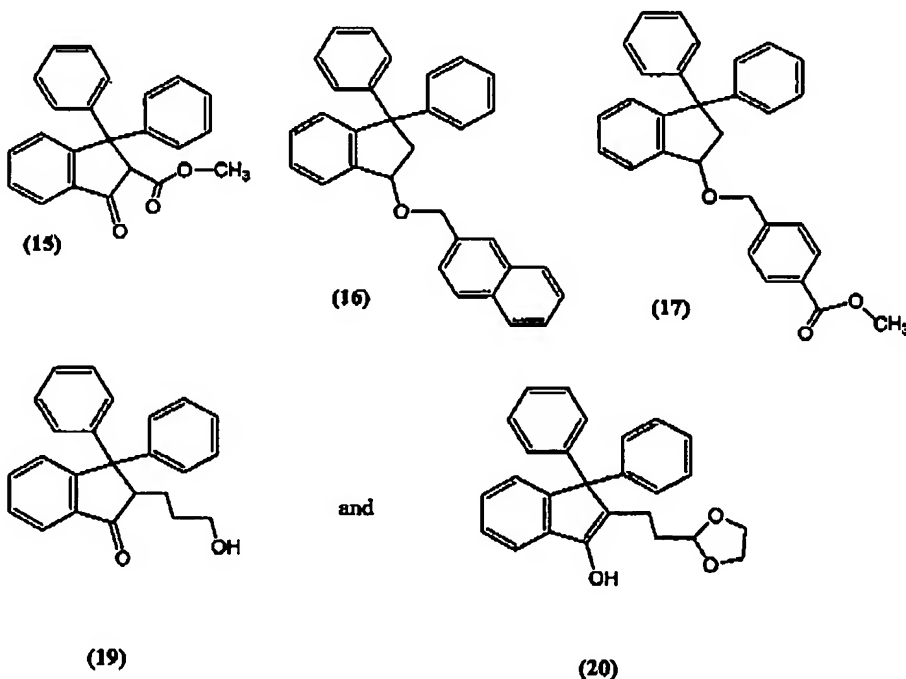
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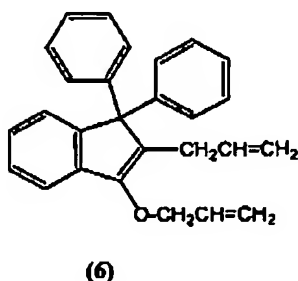
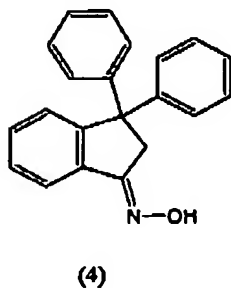
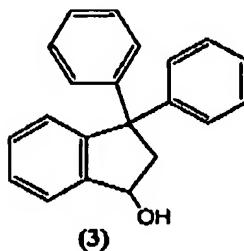
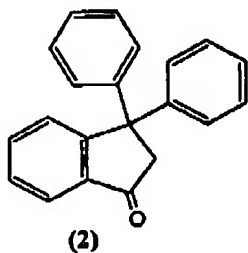
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It is certified that an error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Columns 52-56, please replace Claim 12 with the following Claim:

12. The method of Claim 11, wherein said compound is selected from the group of Compounds 2, 3, 4, 6, 7, 8, 10, 11, 15, 16, 17, 19 and 20.



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12390 El Camino Real
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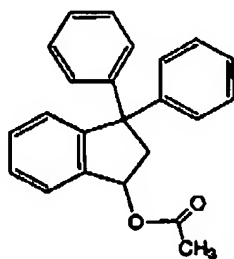
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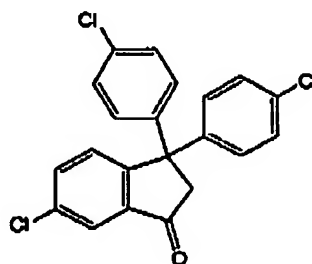
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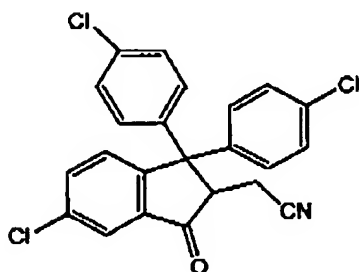
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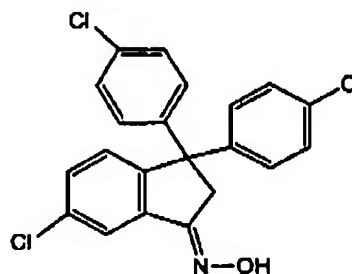
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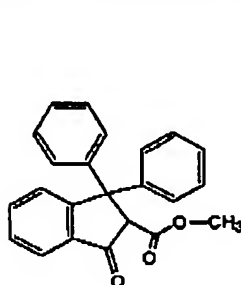
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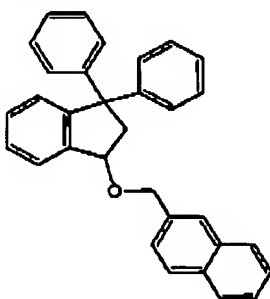
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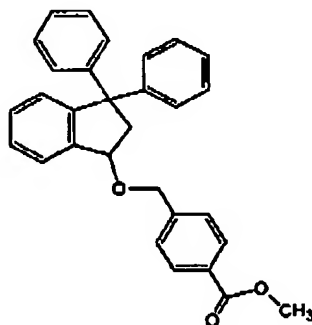
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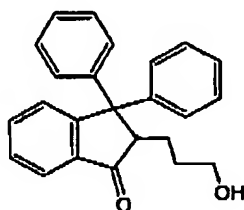
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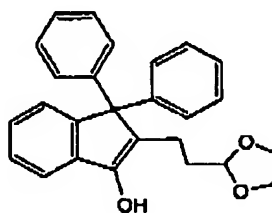


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and



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